

REPORT: 1983

LEGISLATIVE COMMISSION
ON CHILDREN
WITH SPECIAL NEEDS

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North Carolina General Assembly

Senate Chamber

State Legislative Building

Raleigh 27611

SENATOR RUSSELL WALKER
16TH DISTRICT
HOME ADDRESS: 1004 WESTMONT DRIVE
ASHEBORO, N. C. 27203

September 29, 1983

COMMITTEES:
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HUMAN RESOURCES
VICE CHAIRMAN
APPROPRIATIONS
BASE BUDGET
ECONOMY
ELECTION LAWS
REDISTRICTING, SENATE
SMALL BUSINESS
WAYS AND MEANS

The Honorable James C. Green
President of the North Carolina Senate

The Honorable Liston B. Ramsey
Speaker of the North Carolina House of
Representatives

Gentlemen:

I am pleased to submit to you the 1981-82 report of the Legislative Commission on Children with Special Needs. During the past two years the Commission spent much of its time re-writing North Carolina's Special Education Law, and monitoring, at your direction, a study entitled Financing Special Education in North Carolina. This study was funded by the Legislative Services Commission and a special grant from the National Conference of State Legislatures.

I speak for all members of the Commission in expressing their thanks for the opportunity to serve on this important Commission.



Senator Russell Walker
Chairman



Representative Vernon G. James
Vice Chairman

LEGISLATIVE COMMISSION ON CHILDREN WITH SPECIAL NEEDS

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Chairman - Senator Russell Walker

Vice Chairman - Representative Vernon G. James



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COMMISSION ACTIVITIES

At its first meeting on November 10, 1981, the Legislative Commission on Children With Special Needs identified the following areas to be studied in its 1981-82 deliberations.

1. Pre-Kindergarten Screening Programs - Referred to the Commission by House Resolution 620.
2. Services to pregnant teenagers under North Carolina's exceptional childrens law.
3. Psychological services to public schools.
4. Allocation formulas to local schools for children with special needs.
5. Gifted and Talented Students under North Carolina's exceptional childrens law.
6. Audits of headcounts of exceptional children.
7. Review of North Carolina's exceptional children's statutes.
8. Review of the operation of the schools for the deaf and blind.
9. Review of the developmental disabilities case management system.
10. Review of the "Willie M." Case.
11. Vocational Training for exceptional children.

During the course of its meetings other issues were brought before the Commission by members of the public and the Departments of Public Education and Human Resources.

Because of the large number of issues that confronted the Commission many were consolidated and dealt with in the Commissions review of the special education laws.

In April 1982 the Legislative Services Commission received a special grant from the National Conference of State

Legislatures to conduct a study entitled, Financing Special Education in North Carolina. In a letter to Senator Walker from the Speaker of the House of Representatives and the President Pro Term of the Senate, the Commission was asked to monitor this study and report on its progress to the General Assembly. A number of meetings were devoted to this study, and a copy of the executive summary is included in Appendix D of this report.

Review of Special Education Laws

Because many of the issues identified by the Commission dealt with North Carolina's special education laws, a subcommittee chaired by Senator Hancock was appointed to review all of the appropriate statutes. Other members of the subcommittee were Representative Fenner, Representative Hayden, Representative Nye, Mrs. Claudia Brinkley.

This subcommittee held a number of meetings and heard from members of the public; the Department of Public Instruction, the Attorney General's Office and local school superintendents. The subcommittee drafted a series of proposals for consideration by the full Commission, and a public hearing was held on December 8, 1982 on these proposals.

Following the public hearing, on December 16, 1982 the Commission adopted the following recommendations:

Commission Recommendation #1 - Addition of "other health impaired"

The Commission heard testimony that there is a need to add a category of coverage to catch those children with health impairments that are not specifically named. Federal law uses the category "other health impaired" to accomplish this as do our State regulations. The Commission also heard testimony that the existing category, "genetically impaired" would no longer be needed if "other health impaired" were added as "other health impaired" would incorporate "genetically impaired".

The Commission recommends the addition of the category "other health impaired" to the coverage, and the removal of the category "genetically impaired". (Proposed Legislation)

Commission Recommendation #2 - Redefinition of the "gifted" as "academically gifted"

The Commission heard testimony that there was much dissatisfaction with the term "gifted and talented" because the term is not clear, and, arguably, could include the artistically talented, a class of children that are aided elsewhere, for example through the Governor's School network. The Commission was asked to clarify the class of gifted children to be covered and to make sure that only the academically gifted were included.

The Commission recommends legislation to redefine the "gifted and talented" class as "academically gifted".
(Proposed Legislation)

Commission Recommendation #3 - Elimination of age coverage conflict

The Commission heard testimony from the Attorney General's office and from the Department of Public Instruction that there was a conflict that needed to be resolved between general education law and special education law. Presently, general education law entitles a child to education from age five until age 21 or until completion of a prescribed course of education. Special

education law entitles a child to education from age five until 18, with further education until age 21 optional. The Department of Public Instruction testified that it would cost nothing more to give special education entitlement from 18 to 21 or until completion of a prescribed educational program, as in almost all suitable cases extended education was already being provided.

The Commission recommends that the age coverage of special education law be amended to follow general education law coverage and to entitle children with special needs to education from age five to age 21 or until completion of a prescribed educational program. (Proposed Legislation)

Commission Recommendation #4 - Clarification of
"suspected" child

The Commission heard testimony that there was confusion among local educational agencies as to what children were "suspected" of being children with special needs and to be counted as such in the annual census.

The Commission recommends that the term "suspected" be clarified to make it clear that a "suspected" child counted in the annual census is a child who is in the formal process of being identified, evaluated or diagnosed as a child with special needs. (Proposed Legislation)

Commission Recommendation #5 - Study of education
beyond 180 days

The Commission heard testimony from the Attorney General's office that federal case law was requiring

special education coverage beyond 180 days for children whose education would otherwise significantly regress. Such children would likely be autistic, severely emotionally disturbed or severely and profoundly retarded. The Commission also heard testimony that our State laws and regulations neither explicitly permit or forbid such extended coverage. The Commission was unable to determine how many special needs children might conceivably require extended year coverage nor was it able to determine the cost could be considerable. The Commission decided that it was not yet ready to recommend changing the law or appropriating the funds necessary to implement the change, although it recognized that such change and such appropriations might be reconsidered in the future.

The Commission recommends that the Commission continue its study of the matter of education beyond 180 days for children with special needs whose education will otherwise significantly regress and related matters including cost.

Commission Recommendation #6 - General independent study of identification, diagnosis and evaluation

Based on all the testimony the Commission heard, the Commission recognized the vital need to get new, systematic data on the identification, diagnosis and evaluation of children with special needs in North Carolina. This data would be generated by an in-depth study, similar to the

special education cost study presently being undertaken by the Frank Porter Graham Child Development Center. The study would not be undertaken by the Commission but by an agency to whom a special appropriation would be made for the study. This agency would submit its report to the Commission.

The Commission recommends the establishment of a special study to generate data to address the issues of identification, diagnosis and evaluation of all children with special needs.

Commission Recommendation #7 - Clarification of "least restrictive" appropriate placement

The Commission heard testimony that some local agencies were justifying placements that were actually inappropriate on the grounds that the placement was in the least restrictive educational environment and that the requirement of placement in the "least restrictive" environment meets the requirement of appropriate placement. Thus, a child who really requires institutional education in order to learn could be placed in a regular classroom regardless of whether the child could receive an appropriate placement. Thus, a child who really requires institutional education in order to learn could be placed in a regular classroom regardless of whether the child could receive an appropriate education, because the educational environment for the child. Neither the law

nor the regulations as written permit this misinterpretation, but the Commission did hear that this misinterpretation was being made, either because the local educational agency in question lacked funds for the really appropriate placement or because it misunderstood the law and regulations.

The Commission recommends that the State Board of Education, the Department of Human Resources and the Department of Corrections take whatever steps are necessary to ensure that no local educational agency is placing a child in the "least restrictive" placement when that placement is inappropriate, but is rather placing all children in the least restrictive of all possible appropriate placements.

Commission Recommendation #8 - Recommendations to tighten administration of standards for academically gifted and to study state-wide monitoring of administration of academically gifted placements

The Commission heard testimony that there was a good deal of dissatisfaction with the way local educational agencies were handling the gifted, that, in many cases, the legislative intent and regulatory standards were being overruled by improperly subjective decisions and that many were being classed as gifted who should not be, for whatever reasons. The Commission was asked to mandate tighter standards either in the statutes or in the regulations for

gifted placement, but decided rather to recommend that the State Board of Education tighten the administration of these standards. The Commission understands the need to permit some subjective evaluation as well as objective testing in order to give the flexibility necessary to guarantee appropriate classifications.

Similarly, the Commission was asked to mandate State-level monitoring of gifted placement. But, upon the Department of Public Instruction's assurance that effective control was already being exercised by an existing program of local sample monitoring, the Commission decided to recommend a feasibility study.

If the Commission later decides that the placement is not being effectively monitored, it may recommend that a full, State-level monitoring program be mandated.

The Commission strongly recommends that the State Board of Education tighten the administration of its standards regarding the identification, diagnosis, evaluation and placement of the gifted, while maintaining the flexibility to guarantee appropriate classifications.

The Commission recommends that the State Board of Education study the feasibility of State-level monitoring of gifted placements.

Commission Recommendation #9 - Special procedures for
gifted and pregnant

The Commission heard testimony that the procedures mandated by statute for the identification, diagnosis and

evaluation of all children with special needs and required by federal law for all classes covered by federal law are overly cumbersome, complicated and costly when applied to the gifted and the pregnant, the two classes not covered by federal law. The Commission was asked by many different groups to amend the statutes to require simpler, less costly and more appropriate procedures for the gifted and the pregnant.

The Commission recommends legislation to require group educational programs for the gifted and special educational programs and diagnostic and evaluation procedures for the pregnant. (Proposed Legislation)

Commission Recommendation #10 - Clarification of
discipline procedures

The Commission heard testimony from many people that the special disciplinary procedures provided for children with special needs was unsatisfactory. Some testified that the procedures gave too many due process procedures to a group of children whose behavior was just as dangerous to person or property as the unacceptable behavior of other, general education children, and that dangerous special needs children should be treated with the same due process rights afforded general education children, but no more. Other groups, including the Attorney General's office and the Department of Public Instruction, testified that federal case law and statutes mandate special, extended due process rights for

children with special needs and that there exist emergency procedures to handle the truly dangerous behavior of any child, for a limited period. The Attorney General's office and the Department of Public Instruction requested the Commission to rewrite the law regarding disciplinary suspension because it was unclear and out of date. The State Board of Education, the Commission was told, had recently adopted a new regulation which took all the new case law into consideration, and concentrated on reconsiderations of appropriate placement when a special needs child required discipline. The Commission was urged by the Department of Public Instruction and the Attorney General's Office to rewrite the statutes to take the approach recommended by the Department of Public Instruction and the Attorney General's office to track the language of this new regulatory procedure, and these agencies assured the Commission that this would provide maximum flexibility to local administrators in dealing with this problem.

The Commission decided to take the approach recommended by the Department of Public Instruction and the Attorney General's office with the assurance that emergency procedures existed. The Commission does understand the frustration expressed by school systems unable to deal with disruptive special needs children and hopes that this new regulatory approach will work. If it does not, the possibility of other

legislative remedies during the 1983 Session of the General Assembly was suggested.

The Commission recommends that the law on disciplinary suspensions and expulsions be rewritten to track the language of the new State Board of Education regulation, to clarify and redesign the pertinent procedures in light of recent case law. (Proposed Legislation)

Committee Recommendation #11 - Provision of better hearing

The Commission heard testimony that much time, energy and expense are being wasted because local hearings often are conducted by untrained hearing officers, and according to rules which vary from district to district, thus almost requiring a full, duplicative review at the State level. The Commission was asked to propose legislation to require that hearing officers be certified and the local hearings be made uniform by having the Administrative Procedure Act apply to them (unless overridden by other State or federal procedures). Requiring certification of hearing officers will require the State Board to set up a certification process.

The Commission believes that the institution of these two changes, if properly implemented, will help ensure the procedural adequacy as a matter of law of the local hearing. If this is the result, State-level review can be more often conducted "on the record" of the local hearing without the necessity of a new full hearing.



Following adoption of these recommendations, a bill was prepared for the commission by the Legislative Bill Drafting Division for introduction in during the 1983 session of the General Assembly. A copy of Senate Bill 127 incorporating these recommendations is included in Appendix A.

Pre-Kindergarten Screening Programs

House Resolution 1295, Resolution 62 of the 1981 Session Laws, (Appendix B) requested the Legislative Commission on children with special needs to study the need for a pre-kindergarten screening program in North Carolina. During the course of its deliberations the Commission found the Department of Public Instruction did not have a complete record of those local education agencies (LEA's) that were currently operating screening programs. The department was asked to survey all LEA's to determine the types of screening programs that are now being conducted. The results of this survey are included Appendix C.

The following conclusions may be drawn from this survey, and the testimony heard by the Commission.

1. 119 local educational agencies (LEAs) in North Carolina have some form of screening program. 21 LEAs do not operate a screening program.
2. There are a number of excellent pre-kindergarten screening programs that could serve as models for school districts that might wish to develop a program.
3. State regulations currently exist on procedures that must be used to evaluate a child with special needs, but no standardized system exists to screen all school children.

Conclusions

1. A need exist in North Carolina for a system of screening children prior to entrance into kindergarten. Such a program should include both developmental indicators and a physical assessment of the child, and should be developed under standards established by the State Board of Education.
2. Local Education Agencies should be give the flexibility and incentives to develop screening programs that meet the needs of children, parents, and teachers.

Possible Approach to Developing Statewide Pre-kindergarten Screening Programs

1. Require the State Board of Education in consultation with LEAs to develop standards for pre-kindergarten screening programs.
2. Allow all LEAs that meet the board's standards for screening programs to receive an allocation from the state for the operation of these programs. These funds could be used to purchase or develop screening instruments, and pay their expenses dealing with the operation of the program.

Recommendation

Because of the projected shortage of new state funds in the FY 1983-85 biennium, the Commission is not at this time recommending a new statewide pre-kindergarten screening program.

The Commission will continue to study this matter between the 1983 and 1984 legislative session.

Financing Special Education in North Carolina

During the course of 1982 and early 1983, the Commission met on a number of occasions to review the progress on the cost study on special education. In the early stages of the study, the Commission reviewed its methodology and made several suggestions to the staff from the Frank Porter Graham Child Development Center on changes.

Interim progress reports were reviewed to the Commission, and in April 1983 the final report was presented to a joint meeting of the Commission and the Appropriations Committee on Education.

A copy of the executive summary of this report is included in Appendix D, and a copy of the complete report is on file in the legislative library.

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CHICAGO, ILL. 60637

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A P P E N D I X A



GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1983
RATIFIED BILL

CHAPTER 247
SENATE BILL 127

AN ACT TO MAKE CLARIFYING AND PROCEDURAL CHANGES TO THE LAW
REGARDING EDUCATION FOR CHILDREN WITH SPECIAL NEEDS.
The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-109 is amended in the second sentence by deleting the phrase "genetically impaired" and by substituting the phrase "other health impaired".

Sec. 2. G.S. 115C-109 is amended in the last sentence by deleting the phrase "and gifted and talented" and by substituting the phrase "and academically gifted".

Sec. 3. G.S. 115C-110(j) is amended by inserting a new sentence between the first and second sentences to read:

"Suspected children are those in the formal process of being identified, evaluated or diagnosed as children with special needs."

Sec. 4. (a) G.S. 115C-110(d)(2) is rewritten to read:

"(2) Minimum standards for the individualized educational program for all children with special needs other than for the academically gifted and the pregnant children, and for the group educational program for the academically gifted children and the educational program for the pregnant children, who receive special education and related services; and".

(b) G.S. 115C-110(k) is rewritten to read:

"(k) The Department shall monitor the effectiveness of individualized education programs in meeting the educational needs of all children with special needs other than the academically gifted and pregnant children, and of group educational programs in meeting the educational needs of the academically gifted children, and of educational programs in meeting the educational needs of the pregnant children".

(c) G.S. 115C-113(a) is amended by inserting between the first and second sentences a new sentence to read:

"The State Board of Education shall establish special, simplified procedures for the diagnosis and evaluation of the pregnant child, which procedures shall focus on the particular needs of the pregnant child and shall exclude those procedures which are not pertinent to the pregnant."

(d) G.S. 115C-113(c) is amended in the first sentence of the fourth paragraph by inserting between the phrase "individualized education program" and the phrase "shall evaluate" the phrase "or group educational program or both, or educational program,".

(e) G.S. 115C-113(f) is amended by rewriting the first sentence to read:

"Each local educational agency shall prepare individualized educational programs for all children found to be children with special needs other than the academically gifted and pregnant children, and group educational programs prescribed in subsection (g) of this section for the academically gifted children, and



educational programs prescribed in subsection (h) of this section for the pregnant children."

(f) G.S. 115C-113 is amended by adding new subsections (g) and (h) to the end to read:

"(g) Each local educational agency shall prepare group educational programs for the academically gifted children. The State Board of Education shall promulgate rules and regulations specifically to address the preparation of these group educational programs, which rules and regulations shall include specific grouping standards and specific program standards, and shall also include standards for ensuring that the individual educational needs of each child within the group are addressed.

(h) Each local educational agency shall prepare educational programs for the pregnant children. The State Board of Education shall promulgate rules and regulations specifically to address the preparation of these educational programs, which rules and regulations shall include specific standards for ensuring that the individual educational needs of each child are addressed."

Sec. 5. G.S. 115C-112 is rewritten to read:

"§ 115C-112. Disciplinary suspensions.--(a) In the event that a child with special needs exhibits behavior which, if the child were not a child with special needs, could result in the suspension or expulsion of the child from school for a period of more than 10 days or for consecutive periods that total more than 10 days, the local education agency shall require a multidisciplinary team promptly to review the evaluation already completed for the child and conduct any additional evaluations necessary to determine if the behavior is caused by the child's special needs, which evaluations shall include determining (1) whether the child is presently receiving appropriate education, and (2) whether medication is needed or present medication is appropriate. If the evaluation establishes no such relationship between the behavior and the special needs, the local education agency may initiate its normal disciplinary procedures. If the evaluation does establish such a relationship, the local education agency may not initiate its normal disciplinary procedures. The findings should be used in determining an appropriate program.

(b) In an emergency situation, the child may be immediately suspended for a period not to exceed 10 days. As soon as possible after the suspension has begun, and in no case beyond the end of the 10-day maximum period, except under extraordinary circumstances, the multidisciplinary team shall conduct the evaluation described above in subsection (a). To constitute an emergency situation, there must be a continuing threat to the child or to others due to the child's behavior.

(c) In all actions involving suspension of a special needs child whose behavior is determined to be caused by his/her handicapping condition or lack of proper medication, the parties have available all the due process rights of G.S. 115C-116 and 20 USC 1415."

Sec. 6. (a) G.S. 115C-116(b) is amended by adding a new sentence after the fourth sentence to read:

"The impartial hearing officer shall be approved by the State Board of Education and shall have demonstrated to the State Board



a sufficient knowledge of and familiarity with pertinent federal law and regulations as well as State law and regulations and applicable provisions of the Administrative Procedure Act."

(b) G.S. 115C-116(b) is amended by adding a new sentence at the end to read:

"The hearing, the agency review and the judicial review shall be conducted in accordance with Articles 3 and 4 of Chapter 150A of the General Statutes unless this section or pertinent federal law or regulation specifies otherwise."

(c) G.S. 115C-116(b1) is rewritten to read:

"(b1) State officials or employees and officials or employees of a local board of education who are subpoenaed shall not be entitled to any witness fees, but they shall receive their normal salary and they shall not be required to take any annual leave for their witness days."

(d) G.S. 115C-116 is amended by deleting subsections (g), (h) and (i).

Sec. 7. This act shall become effective October 1, 1983.

In the General Assembly read three times and ratified, this the 28th day of April, 1983.

JAMES C. GREEN

James C. Green
President of the Senate

LISTON B. RAMSEY

Liston B. Ramsey
Speaker of the House of Representatives



A P P E N D I X B



GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1981
RATIFIED BILL

RESOLUTION 62

HOUSE JOINT RESOLUTION 1295

A JOINT RESOLUTION AUTHORIZING THE COMMISSION ON CHILDREN WITH SPECIAL NEEDS TO STUDY THE FEASIBILITY OF ESTABLISHING A STATEWIDE CHILD SCREENING PROGRAM FOR PRE-KINDERGARTEN AGE CHILDREN.

Whereas, some children possess various developmental or acquired differences that cause them to have special learning needs; and

Whereas, failure to discover, understand and treat special learning needs tends to result in the development of learning problems as the child continues in school; and

Whereas, early identification of possible learning differences and learning problems is an initial step in preventing school failure; and

Whereas, when special learning needs are identified early it is possible to give special assistance to the child in order to correct or minimize some of the learning problems; and

Whereas, when special learning needs are identified early and intervention services are planned early the long-term costs of school failure and school dropout are minimized; and

Whereas, a program aimed at early identification must involve teachers, parents, administrators and support personnel working cooperatively to provide an atmosphere conducive to learning; and



Whereas, screening of children upon entry to school is recognized as a good time to identify early the special learning needs that cause learning problems that lead to school failure; Now, therefore, be it resolved by the House of Representatives, the Senate concurring:

Section 1. The Commission on Children with Special Needs may study the feasibility of establishing a statewide child-screening program for pre-kindergarten age children to detect special learning needs of the children.

Sec. 2. The Commission on Children with Special Needs may report its findings and recommendations to the 1983 General Assembly.

Sec. 3. This resolution is effective upon ratification.

In the General Assembly read three times and ratified, this the 10th day of July, 1981.

JAMES C. GREEN

James C. Green

President of the Senate

LISTON B. RAMSEY

Liston B. Ramsey

Speaker of the House of Representatives



A P P E N D I X C .

SCREENING SURVEY REPORT--1982

Based upon a request from the Legislative Commission on Children with Special Needs, the Department of Public Instruction surveyed the 143 local education agencies to determine the extent of screening programs that exist to identify children who may need an evaluation in order to determine their special learning needs.

Screening survey forms were sent to each superintendent on June 25, 1982. As of August 31, 1982, all but three local education agencies had returned completed screening survey forms, giving a return of ninety-eight percent (98%). Attached is a copy of the memorandum and the screening survey form.

Data from the screening survey are as follows:

1. Number of Local Education Agencies Operating a Screening Program: 119 (85%)
2. Number of Local Education Agencies Not Operating a Screening Program: 21 (15%)
3. Number of Local Education Agencies Using Only Locally Developed Screening Programs: 44 (37%)
4. Number of Local Education Agencies Using Only Commercially Developed Screening Programs: 51 (43%)
5. Number of Local Education Agencies Using a Combination of Locally Developed and Commercially Developed Screening Programs: 24 (20%)
6. Areas Covered in Screenings
 - . Hearing.....101 (85%)
 - . Language..... 96 (81%)
 - . Speech..... 96 (81%)
 - . Vision..... 88 (74%)
 - . Sensory-Motor..... 73 (61%)
 - . Visual Perception..... 70 (59%)
 - . Auditory Perception..... 65 (55%)
 - . Physical Fitness..... 61 (51%)
 - . Height..... 57 (48%)
 - . Achievement..... 54 (45%)
 - . Weight..... 54 (45%)
 - . Teeth..... 47 (39%)
 - . Aptitude..... 30 (25%)
7. Names of Commercially Developed Screening Instruments Used
 - . Developmental Indicators for the Assessment of Learning - 36 (48%)
(covers speech, language, sensory-motor, and concept development; individually administered; 30 minutes administration time; for ages 3 through 6)
 - . Early Prevention of School Failure - 15 (20%)
(covers speech, language, sensory-motor, auditory skills and visual skills; individually administered; 30 minutes administration time; for ages 4 through 6)

(over)



DIVISION FOR EXCEPTIONAL CHILDREN
NORTH CAROLINA STATE DEPARTMENT OF PUBLIC INSTRUCTION
October 19, 1982

Local School Administrative Units Reporting No Comprehensive, Ongoing,
Mass Screening Programs on June 25, 1982, Survey by the State Department
of Public Instruction:

1. Caswell County
2. Clay County
3. Tarboro City
4. Greene County
5. Harnett County (had one year
project with Duke University)
6. Hendersonville City
7. Iredell County
8. Lenoir County
9. Madison County
10. Montgomery County
11. Rocky Mount City
12. New Hanover County
13. Pender County
14. Perquimans County
15. Randolph County
16. Rutherford County
17. Scotland County
18. Albemarle City
19. Transylvania County
20. Watauga County
21. Yancy County





State of North Carolina

Superintendent of Public Instruction

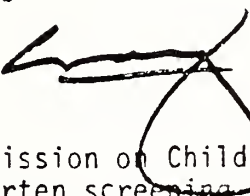
Raleigh 27611

June 25, 1982

A CRAIG PHILLIPS
SUPERINTENDENT

MEMORANDUM

TO: All Superintendents

FROM: Craig Phillips 

The Legislative Commission on Children with Special Needs is studying the need for pre-kindergarten screening programs in North Carolina and has requested that we survey local school systems to determine the extent of existing screening programs.

Please complete the attached screening survey form and return it by July 16, 1982. Should you have questions, please contact David Mills, Assistant Director for Program Development Services, Division for Exceptional Children, State Department of Public Instruction, Raleigh, North Carolina 27611 (919/733-3004).

Thank you for your cooperation.

CP:jcf

Attachment

6-9





LEA _____ / _____
name no.

Date _____

SCREENING: A brief, first step procedure to identify children who may need an evaluation in order to identify their special learning needs

Questions

1. Does your school system operate a screening program for pre-kindergarten and/or kindergarten children?

Check one: _____ Yes
_____ No

2. If yes, is the screening program locally developed or commercially developed?

Check one: _____ Locally developed
_____ Commercially developed

If commercially developed, give the name of the screening instrument and the address of the vendor:

Name of instrument

Address of vendor

3. Check the areas covered in the screening:

_____ achievement	_____ speech
_____ aptitude	_____ teeth
_____ auditory perception	_____ vision
_____ hearing	_____ visual perception
_____ height	_____ weight
_____ language	_____ other (please explain)
_____ physical fitness	
_____ sensory-motor	

NOTE: Return this form by July 16, 1982 to David Mills, Assistant Director
Program Development Services
Division for Exceptional Children
State Department of Public Instruction
Raleigh, North Carolina 27611

A P P E N D I X D

FINANCING
SPECIAL
EDUCATION
IN
NORTH
CAROLINA

MAY
1983

executive
summary



by

Richard M. Clifford

Anne E. Newton

Barbara A. Kuligowski

Ena Singh

David L. Lillie

Frank Porter Graham Child Development Center
University of North Carolina at Chapel Hill

May 1983

FINANCING SPECIAL EDUCATION IN NORTH CAROLINA

RECOMMENDATIONS

- The formula adopted by the State Board of Education in 1979-80 for allocation of funds to LEAs should be fully implemented. The formula is a sound one and could be used effectively if the "hold harmless" provision were eliminated.
- The current caps on percentages of pupils eligible for allocations by exceptionality should be maintained. Provisions should be made for exceptions to these caps for local education agencies which submit adequate documentation. No exceptions should be permitted for the categories of gifted and talented, learning disabled, and speech impaired.
- On-site program auditing of pupil headcounts should be strengthened. Audit functions and technical assistance functions should be separated. Procedures used in identifying exceptional pupils should be reviewed to insure uniformity among districts.
- A new accounting system is required to enable legislators and local and state educators to make decisions regarding financing education, particularly education for exceptional children, and to evaluate the effects of those decisions.
- A manual which outlines the accounting system and includes procedures for implementing the system, legal requirements, and applicable state board regulations should be provided to each LEA. The manual should be updated at least quarterly.
- Systematic training and technical assistance must be provided for both the LEA finance officers and their staff. Turnover in LEA finance offices requires that the training be provided on a continuing basis.
- On-site financial auditing must be implemented to insure proper utilization of state funds as well as adherence to state law and state board policy.
- The role of the local education agencies in supporting the excess costs for exceptional children must be defined. Currently the state and federal governments are carrying the burden of virtually all of the excess costs for exceptional pupils.
- Additional funds are needed to more fully meet the educational needs of exceptional children in North Carolina and to bring the state more nearly in line with national estimates of these costs.



FINANCING SPECIAL EDUCATION IN NORTH CAROLINA

Background

An appropriation for teaching allotments for special education teachers in 1949 initiated the involvement of the North Carolina General Assembly in funding programs for children with special learning needs. Since that time and particularly in recent years, there has been a dramatic increase in the level of funding for such programs. By the 1981-82 school year special and regular appropriations amounted to a total of over \$300 million dollars. Concern in the General Assembly about the equitable distribution and efficient use of these funds resulted in the current study. This study has been sponsored jointly by the General Assembly and the National Conference of State Legislatures. The work has been carried out under a contract with the Frank Porter Graham Child Development Center of The University of North Carolina at Chapel Hill under the direction of Dr. Richard M. Clifford. The study has been conducted in conjunction with the Fiscal Research Division, Tom L. Covington, Project Director.

Goals and Objectives

The overall goal of the study has been to provide the General Assembly with an improved data base for legislative action. Three major objectives were established to accomplish this goal:

- To determine the relative contribution of regular average daily membership allotments and special allotments to the actual costs of educating children with special learning requirements in North Carolina.
- To prepare recommendations on methods for collecting information on an ongoing basis on costs for educating children with special learning requirements.
- To develop a methodology for estimating costs for providing appropriate services for children with various special learning requirements.

Methods Used to Accomplish the Objectives

The study has been divided into three components as follows:

1. LEA Component - A detailed examination of expenditures in a representative sample of fifteen local education agencies in North Carolina.



2. Appropriate Services Component - An attempt to estimate the cost of fully providing all services needed by pupils in 5 categories of exceptionality.
3. SEA Component - An examination of costs of special education, methods of allocating funds, and financial accounting in 3 southeastern states through visits to the state education agencies (SEAs).

I. Allocation of Funds

Findings:

1. There are substantial differences in per pupil expenditures for exceptional children among districts in North Carolina. The highest spending district spends 50% more for exceptional pupils than the lowest spending district.
2. The districts which have identified a high percentage of exceptional pupils spend less per exceptional pupil than those with a low percentage of exceptional pupils.

Recommendations:

1. The formula adopted by the State Board of Education in 1979-80 for allocation of funds to LEAs should be fully implemented. The formula is a sound one and could be used effectively if the "hold harmless" provision were eliminated.
2. The current caps on percentages of pupils eligible for allocations by exceptionality should be maintained. Provisions should be made for exceptions to these caps for local education agencies which submit adequate documentation. No exceptions should be permitted for the categories of gifted and talented, learning disabled, and speech impaired.
3. On-site program auditing of pupil headcounts should be strengthened. Audit functions and technical assistance functions should be separated. Procedures used in identifying exceptional pupils should be reviewed to insure uniformity among districts.

Range of Expenditures

Table I indicates the range of expenditures for exceptional pupils in the LEAs sampled in the study. The highest spending district expends fifty percent (50%) more for exceptional pupils than the lowest spending district. Furthermore, the expenditures appear to be inversely related to the percentage



of pupils identified as exceptional. Districts with a high percentage of exceptional pupils spend less per exceptional pupil than those with a low percentage of exceptional pupils.

Table I

NORTH CAROLINA PER PUPIL EXPENDITURES
FOR SPECIAL EDUCATION 1981-82¹

Range of Expenditures in the Sample Districts

Type of Expenditure	Lowest ²	Average	Highest ²
Teachers	\$1226	\$1392	\$1603
Aides	72	152	204
Administrators	147	175	393
Support Personnel	105	231	333
Office and Clerical Personnel	44	75	146
Instructional Supplies	30	59	86
Maintenance	140	308	408
Central Support	15	36	65
Inservice	2	6	16
Transportation	45	111	249
Vocational Education	20	62	226
Miscellaneous ³	15	48	105

TOTAL EXPENDITURE PER PUPIL

COST INDEX⁴

Lowest LEA	\$2254
Average	2655
Highest LEA	3364

Lowest LEA	1.38
Average	1.52
Highest LEA	1.94

¹Figures include expenditures by local education agencies from all sources excluding capital outlay, bus purchases from local funds, school food services, and income supported program expenditures from July 1, 1981-June 30, 1982.

²Figures in these columns reflect the lowest (highest) expenditure in each category for any LEA in the sample.

³Figures include expenditures for community schools, remediation support, driver training, developmental day care, sports medicine, nutrition education programs, and all other incidental costs not categorized above.

⁴The Cost Index is the ratio of expenditures per exceptional pupil to expenditures per non-exceptional pupil.

Legislative Mandate

In 1979 the Legislature directed the Department of Education to allocate funds based on the number of pupils receiving service. The current formula is not accomplishing that goal. The formula contains a "hold harmless" provision which specifies that a district will receive no less than comparable funding for 1979-80, the year before the current formula went into effect. The "hold harmless" provision has kept allocation of funds based primarily on ADM of all pupils in the district. The wide variation in the percentages of pupils identified and served as exceptional combined with the "hold harmless" provision has maintained the widely varying amounts among districts in per pupil expenditures for exceptional pupils.

Experience in North Carolina and other states has demonstrated the need for both caps on the number of pupils in the various exceptionalities and a careful auditing of pupil headcounts. One example is the rapid growth in the number of learning disabled pupils (LD) identified in recent years. The annualized growth rate of LD pupils in North Carolina from 1977-78 to 1980-81 was 18.85%.⁵ Some states, including South Carolina and Indiana, have experienced rapid growth programs for speech impaired when moving to headcount allocations.

The current study attempted to determine expenditures per pupil by exceptionality. Problems with the current accounting system prohibited a complete determination of such costs. The full final report details the results of these analyses. Expenditures per pupil varied widely from one exceptionality to another. Furthermore, per pupil expenditures varied widely from one LEA to another for the same exceptionality.

II. Accounting for Exceptional Child Funds

Findings:

1. Accurate tracking of funds for exceptional children on an ongoing basis is not possible nor required under the current accounting system.
2. Local education agencies in North Carolina are using the current accounting system inconsistently.
3. The Department of Education provides insufficient support for and oversight of LEA accounting.
4. Other states have implemented systems which track costs effectively.

⁵From Finetuning Special Education Finance: A Guide for State Policy Makers by Mary T. Moore, Lisa J. Walker and Richard P. Holland, Educational Testing Service, Washington, D.C., 1982, p. 105.

Recommendations:

1. A new accounting system is required to enable legislators and local and state educators to make decisions regarding financing education, particularly education for exceptional children, and to evaluate the effects of those decisions.
2. A manual which outlines the accounting system and includes procedures for implementing the system, legal requirements, and applicable state board regulations should be provided to each LEA. The manual should be updated at least quarterly.
3. Systematic training and technical assistance must be provided for both the LEA finance officers and their staff. Turnover in LEA finance offices requires that the training be provided on a continuing basis.
4. On-site financial auditing must be implemented to insure proper utilization of state funds as well as adherence to state law and and state board policy.

North Carolina's Accounting System

The findings reported in Tables II and III below are based on a detailed review of the financial records from each LEA and extensive interviews with and surveys of LEA personnel. There are currently no records kept by any of the districts visited which track expenditures by program for the various exceptionalities. Such records are currently not required and, in fact, under the current accounting system such tracking is virtually impossible. The Uniform Chart of Accounts currently employed does not break down expenditures uniquely by program, but rather emphasizes the sources of funds and object line approach to expenditure reporting. The current system may be adequate from a financial point of view, but certainly is not from a program perspective. The data available is of little value in determining program costs, in assessing the impact of program changes, or in predicting the impact of proposed changes.

In addition to problems with the accounting system itself, it is used inconsistently by LEAs. District finance officers have varying interpretations of the system and thus record expenditures for similar activities in different ways. This problem makes reports of statewide expenditure data unreliable when types of expenditures are compared.

The staff of the study was unable to design specific recommendations regarding modifications to the current system which would produce the desired results without drastically altering the system. In addition, no revised system could be expected to operate effectively without support materials, training and internal audit from the Controller's Office.

Other States' Accounting Systems

Visits to other states indicated that accounting systems can be developed which track costs effectively, although all the systems examined have some significant problems. Both South Carolina and Florida have developed systems that provide significant program expenditure data. The system used in South Carolina is relatively simple, but does not capture all program costs. The South Carolina system reports all direct costs for pupils in self contained classes, but only excess costs for mainstreamed pupils. The system allows the state of South Carolina to monitor a requirement that 85% of funds generated by pupils in exceptional childrens' programs be spent on those programs. Florida's system, which is more complex, provides a wealth of program expenditure data, including direct and indirect costs, and expenditures per full-time equivalent student within programs. The complexity of the system makes it difficult to understand. In both states the allocation procedures and accounting procedures are integrated providing needed information for program monitoring and evaluation.

III. State, Federal, and Local Expenditures

Findings:

1. Overall North Carolina LEAs spent about \$1744 for non-exceptional pupils and \$2655 for exceptional pupils or about 50% more for exceptional pupils than for regular pupils.
2. Of all funds sent to LEAs by the state, including federal funds, \$1294 was spent for each regular education pupil and \$2129 for each exceptional pupil or about 65% more for exceptional than for non-exceptional pupils.
3. While the state is sending out 65% more for exceptional pupils than non-exceptional pupils, the LEAs are spending almost the same amount from local sources for all pupils. Nearly all of the excess costs for exceptional pupils is being borne by the state and federal governments.

Recommendation:

1. The role of the local education agencies in supporting the excess costs for exceptional children must be defined. Currently the state and federal governments are carrying the burden of virtually all of the excess costs for exceptional pupils.

Total Expenditures

Table II reports the results of the study of the 15 representative LEAs in North Carolina. It includes expenditures from all sources--state, local,

and federal--for all types of services except capital outlay (new construction, renovation, and major equipment items), bus purchases from local funds, school food services, and receipt-supported programs. The results were adjusted to be representative of costs statewide. When all pupils receiving services are included, the total average expenditure per pupil is \$1744 for non-exceptional and \$2655 for exceptional pupils.

Table II
WEIGHTED PER PUPIL AVERAGE EXPENDITURE
IN NORTH CAROLINA FOR 1981-82
STATE, FEDERAL, AND LOCAL FUNDS⁶

<u>Type of Expenditure</u>	<u>Regular Education⁸</u>	<u>Special Education</u>
Teachers	\$ 905	\$ 1392
Aides	113	152
Administrators	111	175
Support Personnel	75	231
Office and Clerical Personnel	52	75
Instructional Supplies	45	59
Maintenance	186	308
Central Support	28	36
Inservice	5	6
Transportation	86	111
Vocational Education	115	62
Miscellaneous	23	48
	\$ 1744	\$ 2655
Cost Index	1.00	1.52

State and Federal Funds

Table III presents the actual dollar amounts expended for the entire state in 1981-82 from state funds and federal funds that flow through the state education agency for both regular education (non-exceptional pupils) and special education (exceptional pupils). When only state and federal funds flowing through the state to LEAs are included, the total average expenditure per pupil is \$1294 for non-exceptional and \$2129 for exceptional pupils.

⁶Figures include expenditures made by local education agencies from all sources excluding capital outlay, bus purchases from local funds, school food services, and income supported program expenditures.

⁷Figures include expenditures for community schools, remediation support, driver training, developmental day care, sports medicine, nutrition education programs, and all other incidental costs not categorized above.

⁸Throughout this report per pupil expenditures for "regular education" exclude all expenditures for exceptional pupils.

Table III

STATE AND FEDERAL FUNDS EXPENDED BY LEAs
IN NORTH CAROLINA FOR 1981-82⁹

Regular Education

1. State Public School Fund	\$1,263,970,483
2. Federal Funds through the State	87,761,265
3. Vocation Education	<u>83,583,480</u>
TOTAL	\$1,435,315,228
Average Daily Membership ¹⁰	1,109,311
Expenditure Per ADM Pupil	\$1,294

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Special Education

1. State Public School Fund	\$ 115,645,816
2. Federal Funds through the State	27,072,804
3. Vocational Education	<u>1,571,410</u>
TOTAL	\$ 144,290,030
Headcount of Pupils (Dec. 1 and Oct. 1)	172,881
Expenditure Per Pupil	<div style="display: inline-block; width: 150px;"></div> <div style="display: inline-block; vertical-align: top;"> Excess \$ 835 Regular <u>1,294</u> </div>
Total Exceptional	\$ 2,129

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Cost Index:	Regular 1.00	Exceptional 1.65
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Local Funds

The difference in the two tables represents the local expenditures for both regular and special education. In terms of total costs, LEAs appear to have spent about \$450 per non-exceptional pupil and \$526 per exceptional pupil --about 17% more for exceptional pupils. Currently the state and federal governments are carrying the burden of virtually all of the excess costs for exceptional pupils. The state could institute matching requirements, such as exist currently for Vocational Education and Community Schools, to insure equitable sharing of excess costs by LEAs or some other method for requiring local effort in the same proportion as combined state and federal efforts. If a

⁹In order to make the figures in Table III comparable to those in Table II, child nutrition funds not directly allocated to LEAs have been excluded.

¹⁰Third month 1981-82 ADM

matching requirement is instituted, it should have a built-in equalization formula to keep from penalizing LEAs least able to support these programs.

Note: The actual per pupil expenditures shown in Table III may be compared with the Department of Education's state allocations per eligible weighted pupil of \$937 and federal allocation per pupil (headcount) of \$215 for 1981-82. Both Tables II and III derive the cost per exceptional pupil by dividing the actual expenditures by the total number of exceptional children receiving services. There are three major differences between this calculation and the methods used by the Department of Education to allocate funds. The Department counts each gifted and talented pupil as only 1/3 pupil. Exceptional pupils over the caps in a given district and pupils less than 5 or over 17 years old as of December 1 are not counted when state allocations are determined. So that the real costs were accurately reflected, it was decided to count all pupils receiving services equally for the purposes of this study.

IV. Adequate Funding for Exceptional Children's Programs

Findings:

1. Methods for estimating costs for providing full services for exceptional children are complex and not particularly reliable. However, North Carolina teachers indicate that additional services are needed to fully meet pupils needs.
2. North Carolina LEAs are spending substantially less per exceptional pupil than national average costs both in terms of actual dollar amounts and in terms of the ratio of costs as compared to non-exceptional pupils.
3. Where comparisons were possible, North Carolina appeared to be spending less per pupil for exceptional children than other southeastern states visited.

Recommendation:

1. Additional funds are needed to more fully meet the educational needs of exceptional children in North Carolina and to bring the state more nearly in line with national estimates of these costs.

Difficulties in Projecting Costs

Methodology for accurately projecting costs for providing all needed services for pupils with special learning requirements proved to be complex and expensive. In consultation with the Technical Advisory committee working with the study staff, it was determined that the originally proposed method involving a panel of experts was not sufficient. The approach instituted attempted to estimate costs for personnel for several of the major categories of exceptionalities through a survey of teachers in a representative sample of LEAs in North Carolina. Variations in teacher responses have provided significant problems in analyzing the results and in associating accurate costs to the services. This precludes full reporting of the results at this time. However, the teachers did indicate that substantially increased services are needed by pupils currently in exceptional child programs.

National Cost Study

A second approach used to providing cost comparisons was an examination of national studies of costs. Table IV provides cost data from a large

TABLE IV		
NATIONAL COST FIGURES 1981-82 ¹¹		
Type of Cost	Regular Education	Special Education
Teachers	\$ 930	\$ 1582
Aides	10	153
Administrators	246	598
Support Personnel	78	667
Office and Clerical Personnel	6	17
Instructional Supplies	59	115
Maintenance	285	530
Central Support	4	29
Inservice	0	49
Transportation	89	194
Vocational Education	NR ¹²	NR ¹²
Miscellaneous	28	31
	\$ 1735	\$ 3965
Cost Index	1.00	2.29

¹¹Figures derived from tables on pages 37 and 40 in The Cost of Special Education: Summary of Findings by J.S. Kakalik, W.S. Furry, M.A. Thomas, M.F. Carney, The Rand Corporation, Santa Monica, CA (1981). Types of cost have been combined to match the present study categories as closely as possible. Food services and debt services are not included. Figures have been adjusted for inflation between 1977-78 when the original data was collected and 1981-82 to be comparable with data collected in the present study. The inflation adjustment does not reflect any additional services which may have been added between the 1977-78 and 1981-82 school years.

¹²Vocational Education costs are included under other categories and not reported separately.

national study conducted by The Rand Corporation which was completed in 1981. The findings of that study have been adjusted for inflation to the 1981-82 school year and only expenditure items comparable to items used in this current study have been included in the table. The figures indicate that the costs for regular education are roughly equivalent to North Carolina's costs in 1981-82 as shown in Table II. However, the Special Education Costs in the national sample are nearly 50% greater than the expenditures found in North Carolina for exceptional children--\$3965 per pupil as compared to North Carolina's \$2615 per pupil for exceptional pupils. In North Carolina, LEAs spent 50% more for exceptional pupils than for non-exceptional pupils, while the national figures were 129% higher for exceptional pupils.

Part of this difference is accounted for by the fact that the current study included gifted and talented pupils and the costs for providing services to them while the Rand Study did not include that group. Although accurate figures on costs for such programs are not available, they would be expected to cost less than the typical program for handicapped pupils. Thus, one would expect the North Carolina figures to be somewhat lower than the Rand figures for exceptional pupils. However, the difference (\$1350 per pupil) is much greater than can be accounted for by the gifted and talented program.

Expenditures in Other States

Finally, as part of the visits to the three states in the Southeast, study staff attempted to determine estimates of expenditures for exceptional children in those states. Because each state collects and reports its information somewhat differently, comparisons must be made with great care. In spite of the difficulties in making these comparisons, it was clear that in both Florida and South Carolina a greater effort was being made to provide the full range of services needed by exceptional pupils. In Florida, LEAs received \$1681 from state funds alone for each pupil served in 1981-82, as compared to \$669 received by LEAs in North Carolina for each exceptional pupil served. In South Carolina, the total estimated excess expenditure per exceptional pupil for direct costs only was \$930. In North Carolina, excess costs (direct and indirect combined) from state and federal sources were \$835 plus an estimated \$76 from local sources. Determination of a reliable estimate for expenditures in Georgia proved impossible because large portions of special education costs are not accounted for separately.

FINANCING SPECIAL EDUCATION IN NORTH CAROLINA, 1981-82

A Statistical Summary

1. Local Education Agencies in N.C.: 143
in study sample 15
2. Other states visited 3
3. N.C.'s Range of Expenditures Per Pupil - All Funds

<u>Special Education</u>	
Lowest Spending LEA	\$2,254 per pupil
Average	2,655 per pupil
Highest Spending LEA	3,364 per pupil
<u>Regular Education</u>	
Average	\$1,744 per pupil
<u>Ratio of Spending:</u>	
Regular to Special	1.52 (about 50% more)
4. N.C.'s State and Federal Expenditures*
(excluding local expenditures):

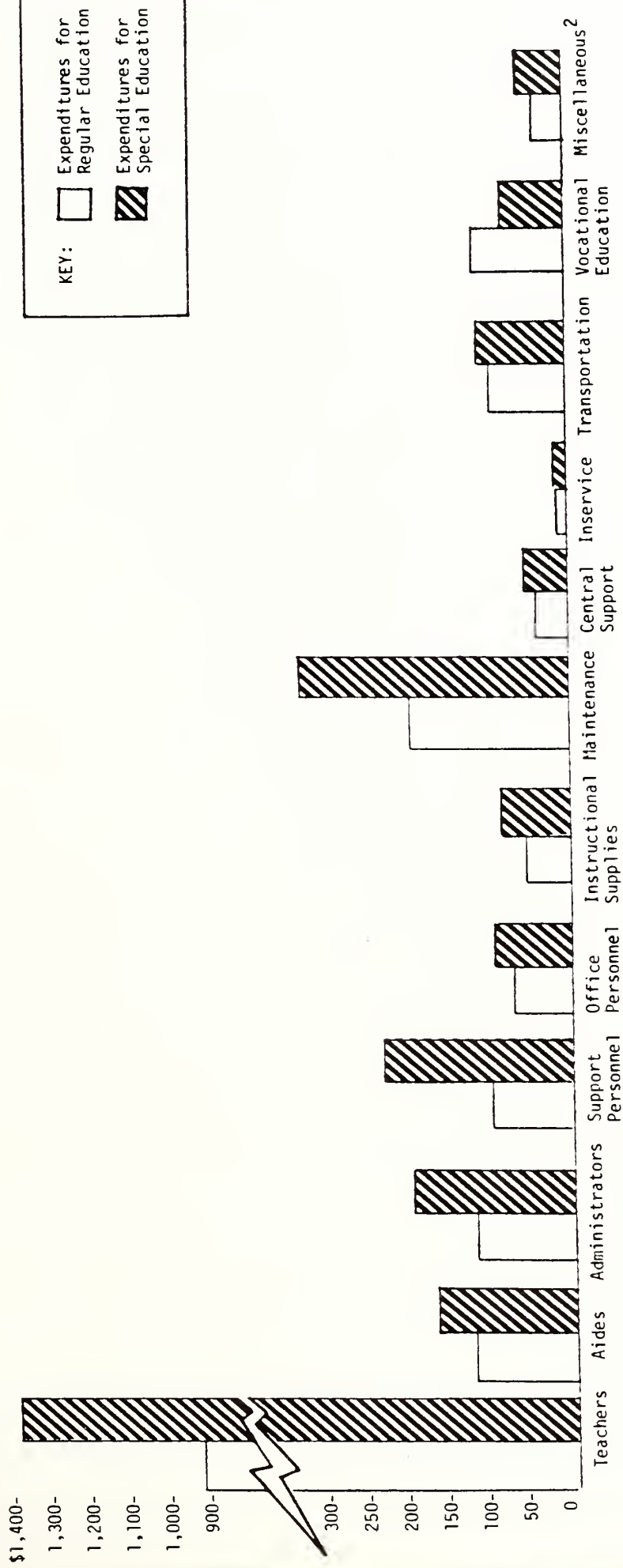
<u>Special Education</u>	\$2,129 per pupil
<u>Regular Education</u>	\$1,294 per pupil
<u>Ratio of Spending (S&F)</u>	
Regular to Special	1.65 (about 65% more)
5. National Cost Figure, 1981-82*

<u>Special Education</u>	\$3,965 per pupil
<u>Regular Education</u>	1,735 per pupil
<u>Ratio of Spending</u>	
Special to Regular	2.29:1

*Unweighted headcounts of pupils served, including gifted and talented

Average Per Pupil Expenditure in North Carolina for 1981-82
State, Federal, and Local Funds¹

EXPENDITURES



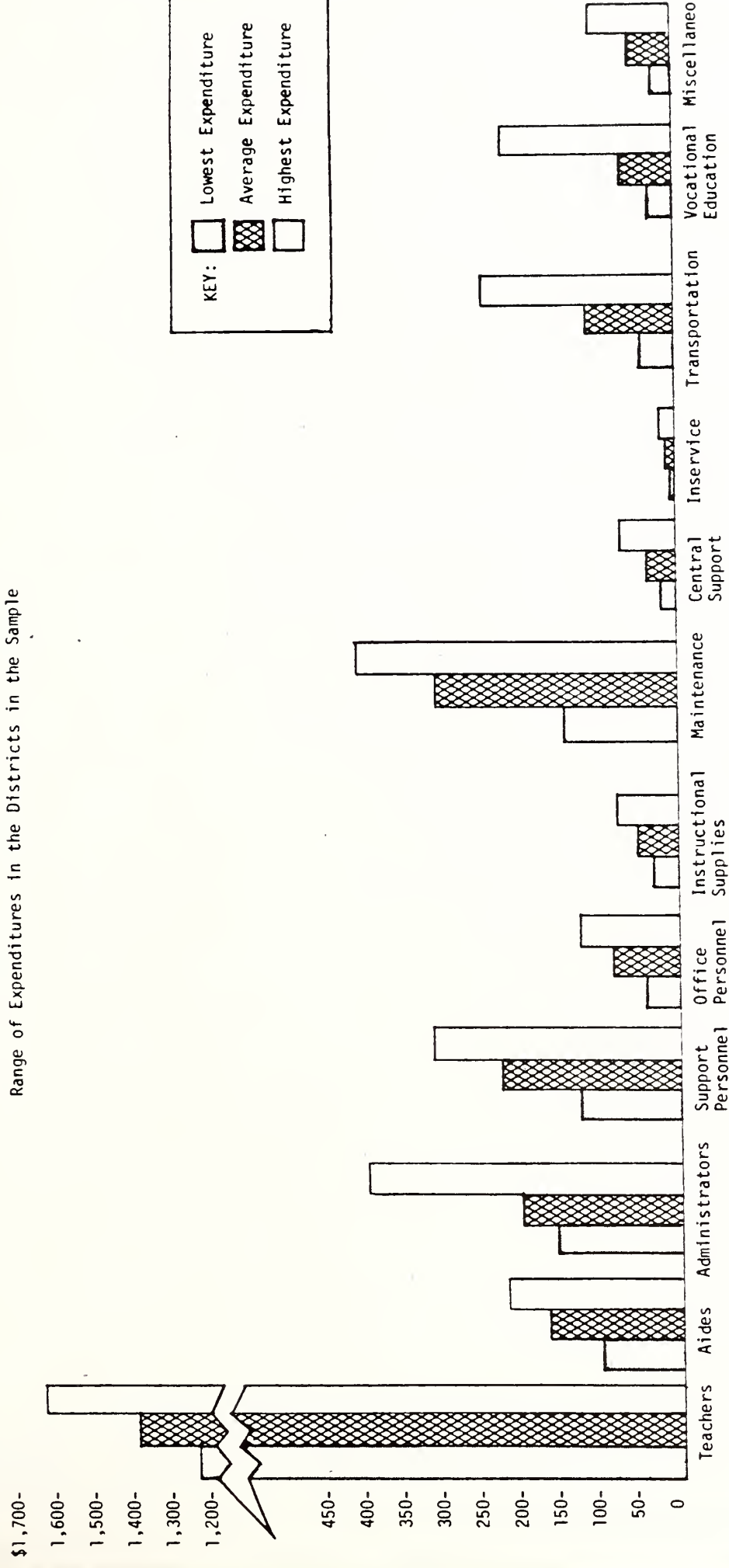
TYPE OF EXPENDITURE

¹Figures include expenditures made by local education agencies from all sources excluding capital outlay, bus purchases from local funds, school food services, and income supported expenditures.

²Figures include expenditures for community schools, remediation support, driver training, developmental day care, sports medicine, nutrition education programs, and all other incidental costs not categorized above.

Lowest, Average, and Highest Per Pupil Expenditures
for Special Education 1981-82¹

EXPENDITURES



TYPE OF EXPENDITURE

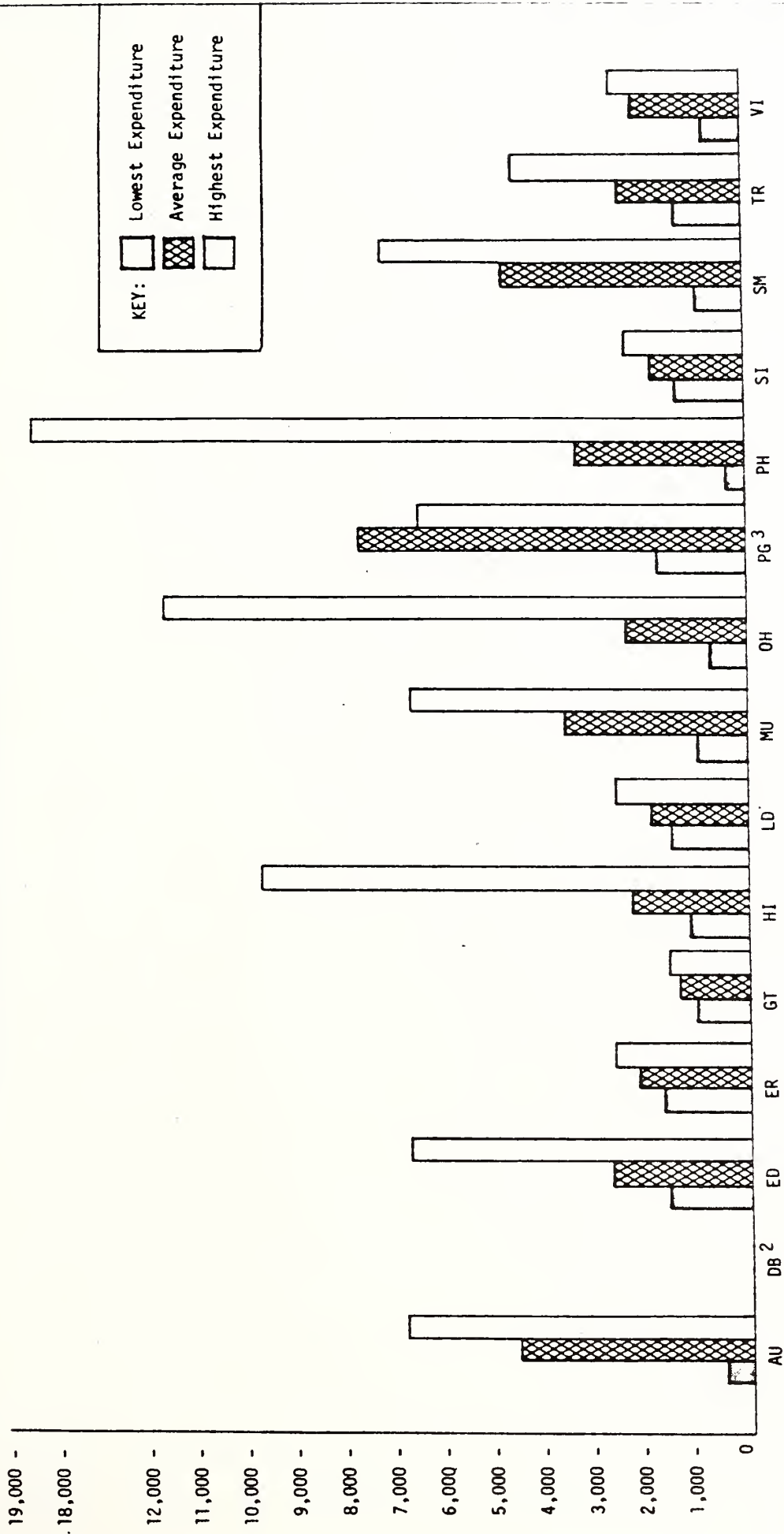
¹ Figures include expenditures by local education agencies from all sources excluding capital outlay, bus purchases from local funds, school food services, and income supported program expenditures.

The lowest (highest) expenditures reflect the lowest (highest) expenditure in each category for any LEA in the sample.

² Figures include expenditures for community schools, remediation support, driver training, developmental day care, sports medicine, nutrition education programs, and all other incidental costs not categorized above.

Lowest, Average, and Highest Per Pupil Expenditure by Exceptionality
for Three Categories of Personnel in North Carolina for 1981-82¹

EXPENDITURES



CATEGORIES OF EXCEPTIONALITY

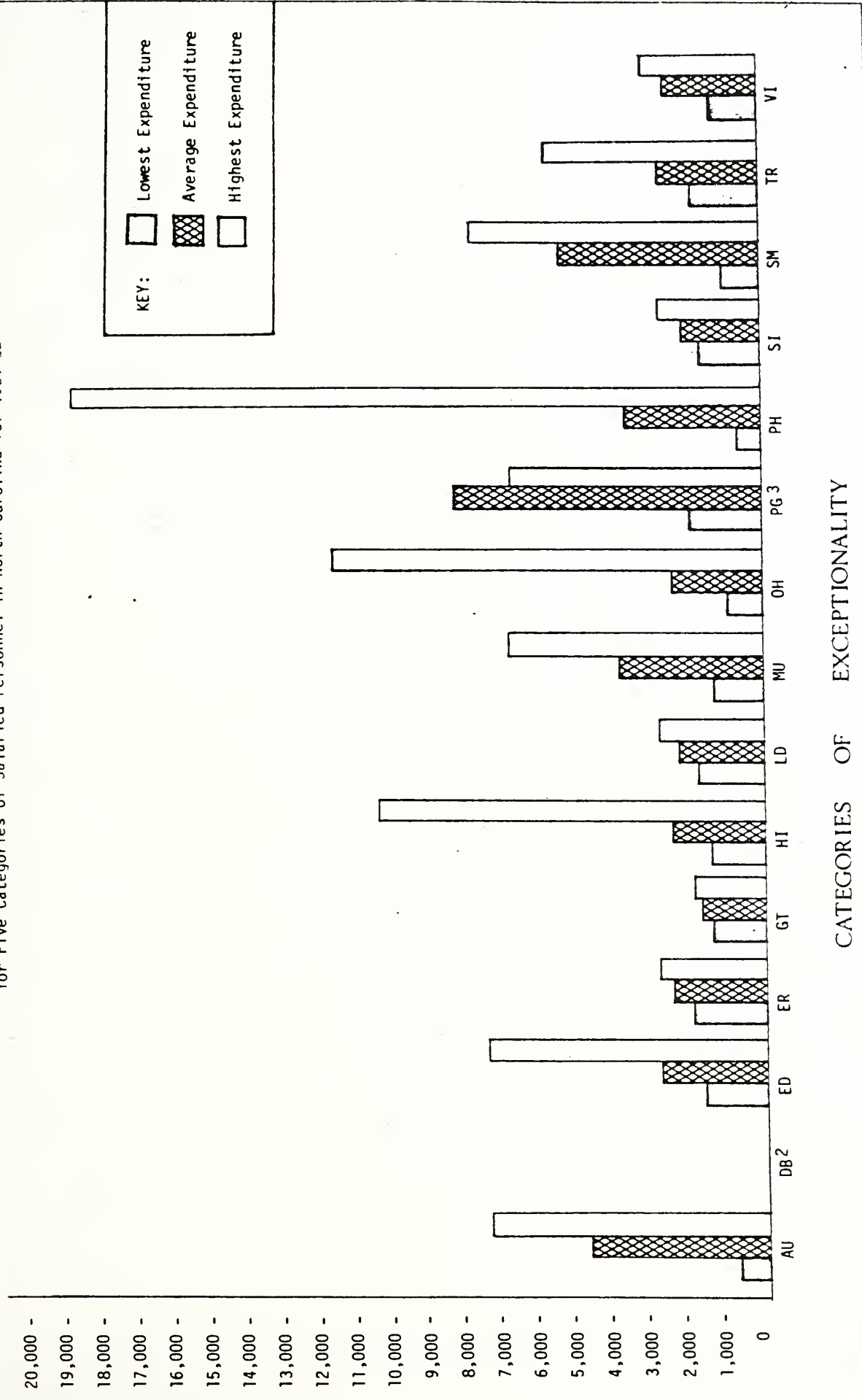
¹ Includes salaries and benefits for the following personnel: teachers, aides, and support personnel.

² No students in this category were identified by districts in the sample.

³ Figures inflate expenditures per pupil as support personnel in eleven counties indicated service to this population when the district had not counted this population in its December 1, 1981 headcount.

Lowest, Average, and Highest Per Pupil Expenditure by Exceptionality¹
for Five Categories of Salaried Personnel in North Carolina for 1981-82

EXPENDITURES



CATEGORIES OF EXCEPTIONALITY

¹ Includes salaries and benefits for the following personnel: teachers, aides, administrators, support personnel, and office and clerical personnel.
² No students in this category were identified by districts in the sample.
³ Figures inflate expenditures per pupil as support personnel in eleven counties indicated service to this population when the district had not counted this population in its December 1, 1981 headcount.



